

3522.805

3522.805 Procedures.

(a) The contracting officer shall obtain a preaward clearance as required by FAR 22.805(a) (2), (3), and (5). Where, as contemplated in FAR 22.805(a)(7), there exists a potential delay in award of an urgent and critical contract, and where the OFCCP advises of its inability to timely complete the review, a written justification for award shall be forwarded to the cognizant HCA for approval of award without preaward clearance.

(b) The contracting officer shall obtain and maintain an adequate supply of the posters entitled "Equal Opportunity is the Law" for distribution to contractors when applicable.

3522.807 Exemptions.

(b) Panama Canal Commission contracts are exempt from the Equal Employment Opportunity provisions of Executive Order 11246 to the extent that work is performed outside the United States by employees who were not recruited within the United States. (See FAR 22.801 for the meaning of "United States" as used herein.)

(c) Requests for exemption pursuant to FAR 22.807(c) shall be submitted to the Director, OFCCP, through the cognizant HCA.

3522.808 Complaints.

Information regarding all complaints and subsequent referrals shall be forwarded to the cognizant HCA.

3522.809 Enforcement.

The Procurement Executive is designated to make the determinations that may be exercised against contractors pursuant to FAR 22.809.

3522.810 Solicitation provisions and contract clauses.

All solicitation provisions and contract clauses prescribed in FAR 22.810 are applicable to contracts awarded by the Panama Canal Commission unless an exemption exists or has been obtained in accordance with FAR 22.807 and 3522.807.

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Subpart 3522.10—Service Contract Act of 1965, as Amended

3522.1003 Applicability.

As indicated at FAR 22.1003-2, the policies and procedures in FAR subpart 22.10 do not apply to service contracts to be performed in the Republic of Panama or elsewhere outside the United States. (See FAR 22.1001 for the meaning of "United States" as used herein.)

Subpart 3522.13—Special Disabled and Vietnam Era Veterans

3522.1302 Applicability.

Panama Canal Commission contracts are exempt from the provisions of the Vietnam Era Veterans Readjustment Assistance Act of 1972 to the extent that the work is performed outside the United States by employees who were not recruited in the United States. (See FAR 22.1308(a)(1) for the meaning of "United States" as used herein.)

3522.1303 Waivers.

(a) The Administrator of the Panama Canal Commission is the "agency head" or the "head of a civilian agency" for purposes of the provisions of FAR 22.1303 (a) and (b)(1), respectively.

(c) Requests for waivers shall be forwarded to the cognizant HCA for referral to the administrator for approval.

3522.1306 Complaint procedures.

The contracting officer shall forward written complaints to the cognizant HCA for subsequent referral to the Director, OFCCP.

Subpart 3522.14—Employment of the Handicapped

3522.1402 Applicability.

(a) Panama Canal Commission contracts are exempt from the Rehabilitation Act of 1973 to the extent that the work is performed outside the United States by employees who were not recruited within the United States. (See FAR 22.1408(a)(1) for the meaning of "United States" as used herein.)